

OCTOBER 18, 2006
WAYNESBORO, PA 17268

Council President Richard George called the regularly scheduled meeting of the Waynesboro Borough Council to order at 7:30 p.m. with the following in attendance:

Borough Council Members – Allen Porter, Craig Newcomer, Richard George, Charles McCammon and Allen Berry (Jason Stains was absent)

Mayor Richard Starliper was absent

Borough Staff – Lloyd R. Hamberger, II, Borough Manager
Denny Benshoff, Maintenance Superintendent
Dan Sheffler, Zoning-Code Enforcement Officer
Kevin Grubbs, Head of Engineering Services
Melissa Dively, Borough Solicitor (Salzmann Hughes, PC)
Ron Flegel, Fire Chief
Ray Shultz, Police Chief

PLEDGE OF ALLEGIANCE: Councilman Porter led those present in the Pledge of Allegiance.

ACCEPT REPORTS: Councilman McCammon made a motion to accept the reports of the Code Enforcement Officer (for August and September), the Fire Chief (for September) and the Police Chief (for August), as presented. Councilman Porter seconded; the motion passed unanimously.

COMMITTEE REPORTS

PERSONNEL COMMITTEE: Councilman Berry noted that he will present a motion regarding a performance evaluation for Dan Sheffler later in the meeting.

PROPERTY AND PUBLIC SAFETY COMMITTEE: Councilman McCammon noted that he will present a motion on a list of individuals recommended by Fire Chief Ron Flegel for approval as Utility Truck drivers.

STREET COMMITTEE: Councilman Porter reported that the Street Committee has not met since Council's last meeting. They did, however, meet with representatives of the Waynesboro Area School District regarding traffic control at the Fairview Avenue Elementary School. Information from that meeting will be discussed at the Street Committee's next meeting.

Mr. Hamberger added that a representative from LTAP (a consultant program through PENNDOT) will meet with members of the Street Committee and staff to discuss/review options for the intersection at Main Street and N. East Avenue. He will contact the appropriate individuals when a date/time has been set for the meeting.

INTERGOVERNMENTAL COMMITTEE: No report.

DOWNTOWN REVITALIZATION AND FINANCE COMMITTEE: Councilman Newcomer reported that the Committee discussed various ideas for parking, and their recommendations will be presented to Council in the near future.

Mr. Hamberger added that a resolution will be presented later in the meeting regarding funding through the Main Street Program.

MAYOR'S REPORT: Mayor Starliper was out-of-town, however President George read the Mayor's Report in his absence. It was as follows –

“On October 5th, along with the Borough Manager, Councilmen Newcomer, Stains, McCammon and Porter, I attended the Waynesboro Chamber of Commerce's Annual Banquet.

On October 7th, I attended the Breakfast in Waynesboro event and presented Lou Scally with the Waynesboro award for 25 years in the television industry.

Later that morning, along with Representative Pat Fleagle and Eva Cook, I judged the scarecrows as part of Market Days.

On October 8th, at Renfrew Park, I had the privilege of marrying Heidi Hayes and Kevin Gossert.”

SOLICITOR'S REPORT: Solicitor Melissa Dively reported that the abatement action on 604 W. Main Street (the subject of numerous violations and fines) has resulted in the vehicle being removed without court intervention.

TRICK-OR-TREAT NIGHT: It was noted that Trick-or-Treat night in the Borough of Waynesboro will be held on Thursday, October 26th, from 6:00 to 8:00 p.m. Residents wishing to participate are asked to turn their front porch lights on during that time period. In addition, residents may obtain treat bags for use from the Waynesboro Police Department on Monday, October 23rd, during regular business hours.

PUBLIC COMMENT - ITEMS ON AGENDA: None.

VOTING ON ITEMS FROM COMMITTEE REPORTS: Councilman Berry made a motion to approve a step increase for Dan Sheffler, to salary level 10D. Councilman Porter seconded; the motion passed unanimously.

Councilman McCammon made a motion to approve the following individuals as drivers for the Fire Department's Utility Truck: Robert Heckman, Adam Matthews, Sam Deverell, Julie Biesecker and Joshua Simmers. Councilman Porter seconded; the motion passed unanimously.

RESOLUTION NO. 2006-10: Mr. Hamberger presented proposed Resolution No. 2006-10 for Council's consideration. He explained that the Borough must adopt (by resolution) the Vision Statement for downtown Waynesboro, as a stipulation of the grant application recently submitted.

Councilman Porter made a motion to approve Resolution No. 2006-10. Councilman Newcomer seconded; the motion passed unanimously.

RESOLUTION NO. 2006-10

THIS RESOLUTION approved and adopted by the Council of Waynesboro Borough of Franklin County, Pennsylvania, on this date hereinafter set forth.

WITNESS TO:

WHEREAS, Main Street Waynesboro, Inc. has promulgated a Main Street Appraisal Report; and

WHEREAS, said report includes a Vision Statement for Main Street Waynesboro, a copy of which is attached hereto.

Complete copy on file at Borough Hall.

UNFINISHED BUSINESS

EMERGENCY AND MUNICIPAL SERVICES TAX (EMST) RATE: Mr. Hamberger noted that Council discussed this matter at their last budget meeting, and decided to proceed with a \$40.00 tax rate and \$12,000 income threshold. Councilman McCammon made a motion to approve the EMST rate as outlined by the Borough Manager. Councilman Porter seconded. Mr. Hamberger added that specific details regarding employer collection (such as installment payments) will be addressed in the ordinance regarding this matter. A vote was then called and the motion passed unanimously.

AWARD CONTRACT FOR ROOF AT NORTHSIDE POOL: Mr. Hamberger stated that he has reviewed the proposal with Michael Benedict, and recommended that Council award the contract to him. Councilman McCammon made a motion to award the contract for the roof work at Northside Pool to Michael Benedict Construction. Councilman Berry seconded; the motion passed unanimously.

RECOMMENDATION FROM PLANNING COMMISSION RE: ALLEY/SIGN ORDINANCE: Kevin Grubbs noted that the Waynesboro Planning Commission reviewed a proposed ordinance regarding alleys/signs, and recommended several changes. Those recommendations will be forwarded to the Solicitor for modification. Solicitor Melissa Dively added that, in the definition of an alley, only those streets which have been ordained are “streets” and all others are “alleys”. It was noted that this ordinance is in draft form and can be modified at Council’s will.

Councilman Newcomer requested that Council members receive a list of the ordained streets (by definition) included in the proposed ordinance.

Councilman McCammon made a motion to table the ordinance for further discussion. Councilman Newcomer seconded; the motion passed unanimously.

RECOMMENDATION FROM PLANNING COMMISSION RE: “BLINKING LIGHTS” ORDINANCE: Kevin Grubbs noted that several revisions are being made by the Solicitor, at the request of the Planning Commission. Councilman Newcomer made a motion to table the matter. Councilman McCammon seconded; the motion passed unanimously.

NEW BUSINESS

FUTURE VISION FOR WAYNESBORO HOSPITAL: William Dick, attorney for Waynesboro Hospital, presented information to Council regarding the hospital’s future plans for an extension to the east of their existing building. It was noted that the hospital currently owns all land on the east side of Enterprise Avenue for this purpose. He explained that this will require two (2) major factors – the vacation of Enterprise Avenue (between Main Street and Roadside Avenue) and re-zoning of the area as Hospital-Office (HO). After having spoken with Borough Manager Lloyd Hamberger, it was felt that this information should be presented to Council prior to taking further steps in the approval process. Other representatives from the hospital were also present to answer any questions.

Councilman McCammon asked if their plans will require demolition of the existing homes along Enterprise Avenue. Mr. Dick responded affirmatively, noting that five (5) structures will be demolished; but the property will remain idle for a while. Mr. Dick added that it “would be nice” if they could use the area for parking, but he understands that the current zoning would prohibit this.

Councilman Porter noted that the Street Committee’s next meeting will be held on November 6th at 9:30 a.m. They will be happy to hear the hospital’s proposal with regard to the street vacation at that time. It was also noted that the Planning Commission’s next meeting will be held on November 13th. The re-zoning issue will need to be addressed by them, however nothing has been submitted yet.

CONSIDER ORDINANCES RE: ESTABLISHING A DOWNTOWN BUSINESS DISTRICT AND RE-ZONING AN AREA A DOWNTOWN BUSINESS DISTRICT: Mr. Hamberger noted that the required public hearing has been held, and the proposed ordinance was advertised for Council’s consideration at this meeting. President George requested that Kevin Grubbs provide Council with the Planning Commission’s rationale on the zero set-back proposal.

Mr. Grubbs explained that the zero set-back proposal is intended to preserve the uniformity (flush front) of the downtown, and to eliminate openings which would make patrons/pedestrians uneasy about walking downtown at night. In addition, all parking areas would be required in the rear of the buildings.

Councilman McCammon voiced his opposition to the proposed zero set-back.

Ronald Martin, 66 State Road. Mr. Martin noted that the zero lot lines will pose a problem for any new buildings to be built. In addition, if a building contains apartments, the windows would be easily accessible from the sidewalk. He suggested that a new business (for example, a café) might want to establish an area to place tables in front of their business – this requirement would prohibit it.

Councilman Newcomer noted that Council has been discussing this matter for a while now, but he is hesitant to make a decision at this time because valid concerns are being voiced. Councilman McCammon also stated that “the ordinance was working before and they shouldn’t have messed with it”.

Councilman Berry, whose residence is on W. Main Street (close to the street), agreed that individuals walking on the sidewalk in front of his home can look directly into his windows. In listening to other comments, however, he “can see both sides of it”.

Stephen Monn, 126 W. Main Street. Mr. Monn’s residence is also on W. Main Street (with zero set-back), but he is not uncomfortable at all. He explained that he serves on the Main Street Committee that worked on this proposal as well as the Waynesboro Planning Commission. He explained that the area proposed as a Downtown Business District is the north and south sides of Main Street (from Grant to Broad Streets). The purpose is to encourage retail business downtown – not residential, which is supposed to be located above the first floor of buildings in the DBD. In addition, the zero set-back would provide security for individuals walking on the sidewalk from store to store. If setbacks are permitted, businesses will want to establish parking, drive-thru’s, etc. in the front of the buildings. It is felt that these should be located in the back of the properties, with no exceptions. He explained that encouragement should be given to individuals wishing to maintain the appearance of buildings downtown in keeping with the historic architectural facade which exists.

Councilman McCammon suggested that a 10' set-back be permitted. This would allow businesses to have a certain area as a set-back; but parking lots would be prohibited, as they require 20'.

Margaret Schmelzer, Burgundy Lane Bed & Breakfast. Ms. Schmelzer noted that her building is on W. Main Street (with zero set-back) and she is in favor of the continuity of the zero set-back. She explained that, if the buildings on either side of hers were to be torn down, it is conceivable (with no zero set-back requirement) that her building could be sitting between two parking lots; and this would not be good for her business.

Craig Mahrle, 84 W. Main Street. Mr. Mahrle noted his agreement with comments made by Ronald Martin in the past. Aesthetically, he feels it would be more pleasing to have varied set-backs instead of one line of buildings down the street. He suggested that the ordinance be written to prohibit parking in front of the buildings, if that is the main purpose for the zero set-back requirement.

Councilman Porter made a motion to table the two (2) proposed ordinances regarding the Downtown Business District until the next meeting, as he would like to vote on the matter when all of Council and the Mayor are present. Councilman Newcomer seconded; the motion passed unanimously.

PLANNING COMMISSION ITEMS: Kevin Grubbs presented items to Council which were discussed at the Planning Commission's meeting on the previous Monday evening –

- 1) West End Development (modification to the original Subdivision Plan) – adding townhouses where single-family units were previously proposed. The Waynesboro Planning Commission recommended approval of the plan, with contingencies. All contingencies have been met, and the plan meets all requirements of the pertinent ordinances. The plan has also been approved by the Franklin County Planning Commission. Councilman Newcomer made a motion to approve the modified Subdivision Plan for West End Development, as presented. Councilman Porter seconded; the motion passed unanimously.
- 2) Snowberger (Preliminary Final Subdivision Plan) – moving interior lot-line for larger home. The plan was reviewed by the Waynesboro Planning Commission. They recommended approval of the plan, as presented. Councilman Porter made a motion to approve the Subdivision Plan for Snowberger, as presented. Councilman Newcomer seconded; the motion passed unanimously.
- 3) 405 N. Grant Street (Final Subdivision/Land Development Plan) – final submission. The preliminary plan was reviewed, and revisions were made and approved. The final plan was reviewed and approved by the Waynesboro Planning Commission, contingent upon revisions being made regarding the lots acquired during abandonment being listed as non-building lots. (This matter was discussed by the Borough Solicitor at Council's last meeting.) Councilman Porter made a motion to approve the final plan, as presented. Councilman Newcomer seconded; the motion passed unanimously.
- 4) Waynesboro Area School District - addition to Senior High School (Preliminary Final Land Development Plan) – Waynesboro Planning Commission reviewed and recommended approval of the preliminary final plan, contingent upon the stormwater management design being completed and approved. Revised plans have been received and are being reviewed by the Borough's consulting engineer. Councilman Newcomer suggested that the matter be tabled until the stormwater management design plans have been approved. Council concurred.

FLOODING PROBLEM UPDATE: Kevin Grubbs reported that he expects to have a cost estimate from Denny Black for the structural evaluation by Council's first meeting in November.

REQUEST FOR RATE INCREASE (ACCREDITED SERVICES): Mr. Hamberger presented a request for a rate increase from Accredited Services. (Mr. Cermak was present to answer any of Council's questions.) It was noted that the current rates were put into effect on July 1, 2004, and have remained the same since that time. Mr. Cermak explained that the rates he is requesting are approximately 90% of those being charged by his competitors in Franklin County; and reflect an approximate 5-7% increase in the rates currently charged to Waynesboro's residential customers.

Councilman Porter made a motion to support the request by Accredited Services for a rate increase. Councilman Newcomer seconded; the motion passed unanimously.

PUBLIC IN ATTENDANCE – NON-AGENDA ITEMS:

Robin Davis, 827 Maple Street – Ms. Davis noted that when the storm sewer boxes were removed from Cemetery Avenue, minor clearing of the area was done; and the residents were told that additional clearing would be done in the vicinity of Maple and Church Streets. She questioned if that work will be done before winter. Maintenance Superintendent Denny Benshoff noted that his crew will be working on that project within the next week or so.

Mike Walters, 315 N. Grant Street – Mr. Walters thanked the Police Department for their assistance in enforcement of the 25 mph speed limit on Grant Street. He also questioned why a Borough employee was present at Ronald Martin's establishment on October 13th when trees were being cut down.

Kevin Grubbs replied that the Borough of Waynesboro is the permit holder for the banners placed across Main Street for recent events. Mr. Martin donated the service of a bucket truck to erect the banners, and the Borough employees picked up the bucket truck at Mr. Martin's property.

FOR INFORMATION ONLY

RIBBON CUTTING CEREMONY AND OPEN HOUSE - GREATER WAYNESBORO CHAMBER OF COMMERCE (OCTOBER 19, 2006 AT 2:00 P.M.): Mr. Hamberger noted that Council received an invitation to the Ribbon Cutting Ceremony and Open House at the Chamber's new office at 5 Roadside Avenue.

INVITATION TO A.T.H. & L. FIRE COMPANY FAMILY DINNER (NOVEMBER 6, 2006): Council members were also invited to attend the A.T. H. & L. Fire Company's Family Dinner. Those planning to attend were asked to inform Melinda Knott by October 31st.

SPECIAL PRESENTATION AND OFFICIAL TRANSFER CEREMONY FOR THE FORT RITCHIE RENAISSANCE - A NEW BEGINNING (OCTOBER 23, 2006): Councilman Porter noted that Council members received an invitation for this event, beginning at 11:00 a.m. on October 23rd, at the Fort Ritchie U.S. Army base. He added that he plans to attend.

PAY BILLS: Councilman Newcomer made a motion to approve the payment of Voucher Lists VL-06-26 and 27. Councilman McCammon seconded; the motion passed unanimously.

COUNCIL AND STAFF COMMENTS: Councilman Newcomer recommended that the Borough Manager write a letter to hospital representatives thanking them for attending Council's meeting and being pro-active in the planning process.

Councilman Newcomer commented on his reluctance to approve the placement of scarecrows on the light poles downtown (due to his fear of vandalism). He noted that the event was very successful – in fact, he was pleased to hear individuals from the Tri-State making favorable remarks.

Kevin Grubbs reported that the 13 streets included on the project list for this year (10 reconstructions and 3 overlays) will be completed within the next several days.

Denny Benshoff reported that the new parking meters are being installed, however some of the parts were missing from the shipment. The alley resurfacing projects have been completed.

Fire Chief Ron Flegel thanked Council members for their approval of drivers for the new utility vehicle.

Council President Richard George congratulated the individuals involved in planning the downtown "Market Day" and St. Andrews' "Oktoberfest". He agreed that the comments he received, particularly about the scarecrows, were very positive for the community.

It was noted that Council will hold a brief budget meeting, immediately following this meeting, in the first floor conference room.

Having no further business to discuss, the meeting adjourned at 8:25 p.m. on a Porter/McCammon motion which passed unanimously.

Respectfully Submitted,

Melinda S. Knott
Administrative Assistant